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| 09/739,715 | 12/18/2000 | Igor Pankovcin | MS1.2570US | 5065 |
| 22801 | 7590 | 12/09/2005 | EXAMINER | |
| LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201 | | | WINDER, PATRICE L | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2145 | |

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,715

Applicant(s)

PANKOVICIN ET AL.

Examiner

Patrice Winder

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3-14-05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 6-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's disclosure does not describe "plugged-in". Applicant's disclosure describes loading plug-in modules.

Specification

2. The amendment filed September 26, 2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: "plugged-in".

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al., USPN 5,845,283 (hereafter referred to as Williams).

5. Regarding claim 1, Williams taught a method for processing data records of multiple formats (abstract), the method comprising:

providing a uniform interface for multiple plug-in modules, wherein each plug-in module is adapted to parsing at least one of the multiple formats (column 5, lines 1-8, 49-57);

parsing by the multiple plug-in modules, the data records into results in accordance with the at least two of the multiple formats (column 7, lines 9-16); and

receiving the results of parsing operations from the multiple plug-in modules through the uniform interface (column 5, lines 58-67).

6. Regarding dependent claim 2, Williams taught a computer-readable medium having stored thereon computer-executable instructions for performing the method of claim 1 (abstract).

7. Regarding dependent claim 3, Williams taught providing services for manipulating data from the data records, wherein the services are invokable by the

multiple plug-in modules to assist the multiple plug-in modules in performing their tasks (column 8, lines 32-45).

8. Regarding dependent claim 4, Williams taught the services include a service to retrieve a line of text (column 8, lines 32-45).

9. Regarding dependent claim 5, Williams taught providing a standard format in which data from the data records is to be structured for storage in a database (column 5, lines 16-21, column 10, lines 1-6).

10. Regarding claim 6, Williams taught computer-readable medium having stored thereon computer-readable data (abstract) comprising:

a parsing module adapted to parsing at least one data record format for parsing data records into results in accordance with the at least one data record format (column 5, lines 1-3, 49-57) and

converting the data contained in the data records from a non-standard format into a standard format (column 5, lines 3-8) and

passing the converted data through a uniform interface so that it can be stored in a database (column 5, lines 16-21);

wherein the parsing module is capable of being plugged-in by a parsing engine when a data record of the at least one data record format is to be parsed (column 5, lines 49-57, column 6, lines 55-58).

11. Regarding dependent claim 7, Williams taught the parsing module is adapted to parsing one particular data record format (column 5, lines 49-57).

12. Regarding dependent claim 8, Williams taught the parsing module is a COM object (any operating system including Windows, COM objects are feature of Windows operating system, column 5, lines 22-26).

13. Regarding claim 9, Williams taught a method for converting data from a non-standard format to a standard format (abstract), the method comprising:

retrieving the data from a record (column 5, lines 1-8);

loading a parsing module adapted to parsing at least one data record format (column 6, lines 49-57)

parsing the data, using the parsing module adapted to determine its contents, wherein the parsing is performed in accordance with the at least one data record format (column 5, lines 1-3, 49-57);

resolving inconsistencies between the data and the standard format to convert the data to the standard format (column 5, lines 3-8, 58-64); and,

passing the converted data through a standard interface for storage in a database in the standard format (column 6, lines 23-29, column 10, lines 1-6).

14. Regarding dependent claim 10, Williams taught a computer-readable medium having stored thereon computer-executable instructions for performing the method of claim 9 (abstract).

15. Regarding dependent claim 11, Williams taught the record is a log record and the data is converted into a standard log format (column 6, lines 1-6).

16. Regarding dependent claim 12, Williams taught the retrieving step further comprises: calling auxiliary services from a parsing engine to retrieve the data from the record (column 6, lines 48-67).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of O'Brien et al., USPN 6,795,809 B2 (hereafter referred to as O'Brien).

19. Regarding claim 13, Williams taught a method for converting a log into a standard format (abstract), the method comprising:

loading a log parser plug-in module to interpret the log, wherein the plug-in module is adapted to parsing at least one log format (column 6, lines 55-58);

parsing by the plug-in module, the test log in accordance with the at least one log format to determine its contents (column 5, lines 1-8);

converting the log into a standard format (column 5, lines 58-64); and

passing the converted data through a standardized interface for storage in a database in the standard format (column 5, lines 16-21, column 10, lines 1-6). Williams does not specifically teach the log is a test log. However, O'Brien taught a test log (column 13, lines 1-13). It would have been obvious to one of ordinary skill in the art at

the time the invention was made that incorporating O'Brien's test log in Williams system for rationalizing different data formats would have improved system utility. The motivation would have been to provide more detailed data records from input devices.

20. Regarding dependent claim 14, Williams taught a computer-readable medium having stored thereon computer executable instructions for performing the method of claim 13 (abstract).

21. Regarding dependent claims 15-16, Williams taught converting a variety of types of results contained in the test log into a single category (column 8, lines 46-53). O'Brien taught a PASS/FAIL (column 13, lines 1-13).

22. Regarding dependent claims 17-18, Williams taught tallying all results to determine an overall result according to the standard format (column 8, lines 46-53). O'Brien taught a PASS/FAIL (column 13, lines 1-13).

23. Claims 19-20 are substantially the same as previously rejected claim 13, above. Therefore, claims 19-20 are rejected on the same rationale as previously rejected claim 13, above.

Response to Arguments

24. Applicant's arguments filed September 26, 2005 have been fully considered but they are not persuasive.

25. Applicant argues – "Consequently, there is no loading or plugging-in of any conversion technology (e.g. a module) with Williams et al."

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26. Williams taught that the logical interfaces (MI, MO) are “installed” into the conversion engine (column 6, lines 49-67). These interfaces (MI, MO) are added or deleted as input without impacting the basic conversion functions of the transaction engine.

27. Applicant argues – “Consequently, Williams et al. does not describe multiple conversion/parsing modules.”

28. Williams specifically teaches that the interfaces (MI, MO) defines conversion rules that are applied to the input or output data (column 6, lines 23-29).

Conclusion

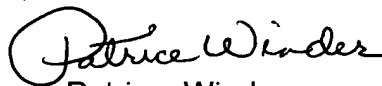
29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patrice Winder
Primary Examiner
Art Unit 2145

November 22, 2005